

Box No. VIII (iii). . . DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to this international application,

CLUSTER RESOURCES, INC. is entitled to claim priority of earlier applications

No. 60/581,257, filed June 18, 2004

by virtue of an assignment from:

JACKSON, David Brian, 10890 S. Conestoga Drive, Spanish Fork, Utah, 84660
United States of America

to CLUSTER RESOURCES, INC., dated 6/16/05 (D)

This declaration is made for the purpose of all designations, except for the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".